

REMARKS/ARGUMENTS

Amendments to the Claims

Claim 16 has been amended to correct a typographical error in the formula. No new matter has been added.

Claim Rejections under 35 USC § 112

Claims 22-24 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 22-24 have been cancelled thereby rendering the rejection moot.

Claim Rejections under 35 USC § 101

Claims 22-24 are also rejected under 35 USC § 101.

Claims 22-24 have been cancelled thereby rendering the rejection moot.

Claim Rejections under 35 USC § 102

Claims 1 and 4-6 are rejected under 35 USC § 102(b) as being anticipated by Kapuschinski et al. (US 5,374,364) for the reasons set forth in item 1 of the Office Action mailed 3/17/2009.

Claims 1 and 4-6 have been cancelled thereby rendering the rejection moot.

Double Patenting Rejections

Claims 1, 4, and 6 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being un-patentable over claims 1-4 of co-pending Application No. 11/900,686 for the reasons set forth in item 5 of the Office Action mailed 2/25/2008. Claims 1, 4, and 6 have been cancelled thereby rendering the rejection moot.

Claims 1, 4, and 6 are rejected on the ground of non-statutory obviousness-type double patenting as being un-patentable over claims 1-4 and 13-31 of Patent 7,462,677, for the reasons set forth in item 5 of the office action mailed February 25, 2008. Claims 1, 4, and 6 have been cancelled thereby rendering the rejection moot.

Claims 1, 4, and 6 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being un-patentable over claims 1, 16, 18 and 22 of co-pending Application No. 11/331,663 for the reason set forth in item 6 of the Office Action mailed 2/25/2008. Claims 1, 4, and 6 have been cancelled thereby rendering the rejection moot.

Claims 1, 3, 4, 6, 9, 10, 13, and 15 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being un-patentable over claims 20-68 of Patent 7,186,845 for the reason set forth in item 7 of the Office Action mailed 2/25/2008. Claims 1, 3, 4, 6, 9, 10, 13, and 15 have been cancelled thereby rendering the rejection moot.

CONCLUSION

It is respectfully submitted that all pending claims are in condition for allowance. Accordingly, Applicants request early and favorable reconsideration in the form of a Notice of Allowance.

If necessary to affect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to affect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 06-0925 (Docket #: P02039US2A).

Respectfully submitted,

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